



03-02-06

\$ LFW

PTO/SB/21 (04-04)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/792,374
	Filing Date	March 3, 2004
	First Named Inventor	Ronald Levy et al.
	Art Unit	1642
	Examiner Name	Lei Yao, Ph.D.
Total Number of Pages in This Submission	Attorney Docket Number	9692-000042

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Supplemental Information Disclosure Statement <input checked="" type="checkbox"/> Form PTO-1449 <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Copy of 1 Foreign reference; and return postcard.
Remarks		The Commissioner is hereby authorized to charge any additional fees that may be required under 37 CFR 1.16 or 1.17 to Deposit Account No. 08-0750.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm or Individual name	Harness, Dickey & Pierce, P.L.C.	Attorney Name Jeffrey L. Snyder	Reg. No. 43,141
Signature			
Date	February 28, 2006		

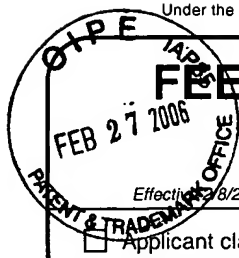
CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name	Jeffrey L. Snyder	Express Mail Label No.	EV 717 343 851 US (2/28/06)
Signature		Date	February 28, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

EV 717 343 851 US

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.



FEE TRANSMITTAL for FY 2006

Effective 1/8/2006. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 180

Complete if Known

Application Number	10/792,374
Filing Date	March 3, 2004
First Named Inventor	Ronald Levy et al.
Examiner Name	Lei Yao, Ph.D.
Art Unit	1642
Attorney Docket No.	9692-000042

METHOD OF PAYMENT (check all that apply)		FEE CALCULATION (continued)	
<input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money <input type="checkbox"/> Other <input type="checkbox"/> None Order		3. ADDITIONAL FEES	
<input checked="" type="checkbox"/> Deposit Account: Deposit Account Number: 08-0750 Deposit Account Name: Harness, Dickey & Pierce, PLC		Large Entity Small Entity	
The Director is authorized to: (check all that apply) <input type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Credit any overpayments <input checked="" type="checkbox"/> Charge any additional fee(s) during the pendency of this application <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.		Fee Code Fee (\$)	
1. BASIC FILING FEE		Fee Code Fee (\$)	
Large Entity Small Entity		Fee Description Fee Paid	
Fee Code Fee (\$)		Fee Code Fee (\$)	
1011 300 2011 150 Utility filing fee		1051 130 2051 65 Surcharge - late filing fee or oath	
1012 200 2012 100 Design filing fee		1052 50 2052 25 Surcharge - late provisional filing fee or cover sheet.	
1013 200 2013 100 Plant filing fee		1053 130 1053 130 Non-English specification	
1014 300 2014 150 Reissue filing fee		1812 2,520 1812 2,520 For filing a request for reexamination	
1005 200 2005 100 Provisional filing fee		1804 920* 1804 920* Requesting publication of SIR prior to Examiner action	
SUBTOTAL (1) (\$ 0)		1805 1,840* 1805 1,840* Requesting publication of SIR after Examiner action	
2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE		1251 120 2251 60 Extension for reply within first month	
Total Claims -20 ** = 0 X Fee from below = 0		1252 450 2252 225 Extension for reply within second month	
Independent Claims -3 ** = 0 X Fee from below = 0		1253 1020 2253 510 Extension for reply within third month	
Multiple Dependent = 0		1254 1,590 2254 795 Extension for reply within fourth month	
Large Entity Small Entity		1255 2,160 2255 1080 Extension for reply within fifth month	
Fee Code Fee (\$)		2401 500 2401 250 Notice of Appeal	
1202 50 2202 25 Claims in excess of 20		1402 500 2402 250 Filing a brief in support of an appeal	
1201 200 2201 100 Independent claims in excess of 3		1403 1000 2403 500 Request for oral hearing	
1203 360 2203 180 Multiple dependent claim, if not paid		1452 500 2452 250 Petition to revive - unavoidable	
1204 200 2204 100 ** Reissue independent claims over original patent		1453 1500 2453 750 Petition to revive - unintentional	
1205 50 2205 25 ** Reissue claims in excess of 20 and over original patent		1462 400 1462 400 Petition fee under 37 CFR 1.17(f)	
SUBTOTAL (2) (\$ 0)		1463 200 1463 200 Petition fee under 37 CFR 1.17(g)	
		1464 130 1464 130 Petition fee under 37 CFR 1.17(h)	
		1807 50 1807 50 Processing fee under 37 CFR 1.17 (q)	
		1806 180 1806 180 Submission of Information Disclosure Stmt 180.00	
		8021 40 8021 40 Recording each patent assignment per property (times number of properties)	
		1809 790 2809 395 Filing a submission after final rejection (37 CFR § 1.129(a))	
		1810 790 2810 395 For each additional invention to be examined (37 CFR § 1.129(b))	
		1801 790 2801 395 Request for Continued Examination (RCE)	
		Other fee (specify) _____	
		*Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$180)	
		4. SEARCH/EXAMINATION FEES	
		1111 500 2111 250 Utility Search Fee	
		1112 100 2112 50 Design Search Fee	
		1113 300 2113 150 Plant Search Fee	
		1114 500 2114 250 Reissue Search Fee	
		1311 200 2311 100 Utility Examination Fee	
		1312 130 2312 65 Design Examination Fee	
		1313 160 2313 80 Plant Examination Fee	
		1314 600 2314 300 Reissue Examination Fee	
		SUBTOTAL (4) (\$0)	

**or number previously paid, if greater; For Reissues, see above

SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	Jeffrey L. Snyder	Registration No. (Attorney/Agent)	43,141
Signature		Telephone	(248) 641-1600
		Date	February 28, 2006

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

Application No.: 10/792,374
Filing Date: March 3, 2004
Applicant: Ronald Levy et al.
Group Art Unit: 1642
Examiner: Lei Yao, Ph.D.
Title: CLASSIFICATION OF PATIENTS HAVING DIFFUSE LARGE B-CELL LYMPHOMA BASED UPON GENE EXPRESSION
Attorney Docket: 9692-000042

Director of the United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, Applicant hereby submits an Information Disclosure Statement for consideration by the Examiner.

I. LIST OF PATENTS, PUBLICATIONS, AND OTHER INFORMATION

The patents, publications and other information requested to be considered by the Office (except unpublished U.S. patent applications) are listed on Form 1449 attached hereto.

II. COPIES

A. ☒ Submitted herewith is a legible copy of (i) each foreign patent; (ii) each publication or that portion which caused it to be listed, other than U.S. patents and U.S. patent application publications unless required by the Office; (iii) each unpublished U.S. application listed below in Section IV (i.e., including the specification, claims, and any drawing of the application, or that portion of the application which caused it to be listed, including any claims directed to that portion), except for such applications filed on or after June 30, 2003, pursuant to the Waiver of the Copy Requirement in 37 C.F.R. 1.98 (OG Notice dated October 19, 2004); and (iv) all other information or that portion which caused it to be listed.

B. ☐ Any patents, publications or other information which are listed on Form 1449 or on the copies of PTO-892, but which are not enclosed herewith, were previously cited by or submitted to the PTO in one of the following applications which has been relied upon for an earlier filing date under 35 U.S.C. § 120:

U.S. Serial Number

U.S. Filing Date

C. ☐ This is a PCT application in the entry of the National Phase in the United States. A copy of the International Search Report is attached for the Examiner's information. The documents listed on the International Search report are listed on the attached Form 1449 for consideration by the Examiner and for listing on any patent resulting from this application. If the International Search report was from the US, EPO, or JPO search authorities, copies of these references should have been supplied to the USPTO under the trilateral agreement and are believed to be in the file of the above-identified application. (MPEP 1893.03(g).)

III. CONCISE EXPLANATION OF THE RELEVANCE (check at least one box)

A. ☒ Except as may be indicated below in (B), all of the patents, publications or other information are in the English language (concise explanation not required).

B. ☐ A concise explanation of the relevance of each patent, publication or other information listed that is not in the English language is as follows (see 37 C.F.R. § 1.98(a)(3)):

1. ☐ See the attached foreign patent office communication from a counterpart foreign application:

2. ☐ English translations are provided:

3. ☐ Other:

C. ☐ The following additional information is provided for the Examiner's consideration.

IV. CROSS REFERENCE TO RELATED APPLICATION(S)

A. ☐ The Examiner is advised that the following co-pending application(s) contain(s) subject matter that may be related to the present application. By bringing this(these) application(s) to the Examiner's attention, Applicant(s) does (do) not waive the confidentiality provisions of 35 U.S.C. § 122.

Serial No.

Filing Date

Inventor(s)

V. THIS IDS IS BEING FILED UNDER

A. ☐ **37 C.F.R. § 1.97(b):** (check only one box)

1. ☐ within three months of the filing date of a national application other than a continued prosecution application under § 1.53(d) (37 C.F.R. § 1.97(b)(1)). No fee or certification is required.
2. ☐ within three months of the date of entry of the national stage as set forth in § 1.491 in an international application (37 C.F.R. § 1.97(b)(2)). No fee or certification is required.
3. ☐ before the mailing of a first Office Action on the merits (37 C.F.R. § 1.97(b)(3)). No fee or certification is required. In the event that a first Office Action on the merits has been issued, please consider this IDS under 37 C.F.R. § 1.97(c) and see the certification under 37 C.F.R. § 1.97(e) below; or, if no certification has been made, charge our deposit account a fee in the amount of \$180.00 as required by 37 C.F.R. § 1.17(p).
4. ☐ before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. § 1.114. No fee or certification is required.

B. ☒ **37 C.F.R. § 1.97(c):** (check only one box)

before the mailing date of either any Final Office Action under 37 C.F.R. § 1.113, a Notice of Allowance under 37 C.F.R. § 1.311, or an action that otherwise closes prosecution.

1. ☒ No certification; therefore, a fee in the amount of \$180.00 is required by 37 C.F.R. § 1.17(p).
2. ☐ See the certification below. No fee is required.

C. ☐ 37 C.F.R. § 1.97(d):

after the mailing date of either a Final Office Action under 37 C.F.R. § 1.113 or a Notice of Allowance under 37 C.F.R. § 1.311, yet on or before payment of the issue fee.

1. ☐ See the certification below. A fee in the amount of \$180.00 is required by 37 C.F.R. § 1.17(p).

VI. CERTIFICATION UNDER 37 C.F.R. § 1.97(e): (check only one box)

The undersigned hereby certifies that:

A. ☐ each item of information contained in this IDS was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS (See 37 C.F.R. § 1.97(e)(1)). See further statement under 37 C.F.R. 1.704(d) below in section VII, if applicable; or

B. ☐ no item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this IDS (See 37 C.F.R. § 1.97(e)(2)).

C. ☐ some of the items of information were first cited in a communication from a foreign patent office. As to this information, the undersigned hereby certifies that each item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS. As to the remaining information, the undersigned hereby certifies that no item of this remaining information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this IDS.

VII. STATEMENT UNDER 37 C.F.R. 1.704(d)

The undersigned hereby states that:

☐ each item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this IDS.

VIII. PAYMENT OF FEES (check only one box)

A. ☒ A check in the amount of \$180.00 is enclosed for the above identified fee.

B. ☐ Please charge Deposit Account No. 08-0750 in the amount of \$180.00 for the above-indicated fee. A duplicate copy of this paper is attached.

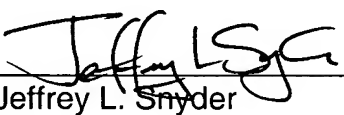
The above references are being cited only in the interest of candor and without any admission that they constitute statutory prior art, contain matter which anticipates the invention, or which would render the same obvious, either singly or in combination, to a person of ordinary skill in the art. Furthermore, this Information Disclosure Statement shall not be construed as a representation that a search has been made.

If it is determined that this IDS has been filed under the wrong rule, the PTO is requested to consider this IDS under the proper rule (with a petition if necessary) and charge the appropriate fee to Deposit Account No. 08-0750.

Please charge any additional fees or credit any overpayment pursuant to 37 C.F.R. § 1.16 or § 1.17 to Deposit Account No. 08-0750.

Respectfully submitted,

Dated: February 28, 2006

By: 
Jeffrey L. Snyder
Reg. No. 43,141

Harness, Dickey & Pierce, P.L.C.
P.O. Box 828
Bloomfield Hills, Michigan 48303
(248) 641-1600

JLS/srs



PTO/HDP-1449 (Based on Form PTO-1449)

PATENT AND TRADEMARK OFFICE
INFORMATION DISCLOSURE CITATION
 (Use several sheets if necessary)

Sheet 1 of 3

ATTORNEY DOCKET NO.	SERIAL NO.
9692-000042	10/792,374
APPLICANT	
Ronald Levy et al.	
FILING DATE	GROUP
March 3, 2004	1642

U.S. PATENT DOCUMENTS

Ref. Desig.	Examiner's Initials	Document Number	Date	Name	Class/ Subclass	(If appropriate) Filing Date
1.		4,586,546	5/6/86	Mezei et al.		
2.		5,561,058	10/1/96	Gelfand et al.		
3.		5,618,703	4/8/97	Gelfand et al.		
4.		5,693,517	12/2/97	Gelfand et al.		
5.		5,876,978	3/2/99	Willey et al.		
6.		5,916,524	6/29/99	Tisone		
7.		5,998,768	12/7/99	Hunter et al.		
8.		5,999,209	12/7/99	Hunter et al.		
9.		6,005,664	12/21/99	Korenberg et al.		
10.		6,036,920	3/14/00	Pantoliano et al.		
11.		6,037,129	3/14/00	Cole et al.		
12.		6,087,098	7/11/00	McKiernan et al.		
13.		6,088,100	6/11/00	Brenan et al.		
14.		6,154,707	11/28/00	Livak et al.		
15.		6,203,759	3/20/01	Pelc et al.		
16.		6,214,293	4/10/01	Pantoliano et al.		
17.		6,235,520	5/22/01	Dehlinger et al.		
18.		6,300,073	10/9/01	Zhao et al.		
19.		6,309,608	10/30/01	Zhou et al.		
20.		6,358,679	3/19/02	Heid et al.		
21.		6,373,726	4/16/02	Russell		

Examiner:

Date Considered:

EXAMINER: Please initial if citation considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

FORM HDP-1449 (Based on Form PTO-1449) PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE CITATION (Use several sheets if necessary) Sheet 2 of 3	ATTORNEY DOCKET NO.	SERIAL NO.
	9692-000042	10/792,374
	APPLICANT	
	Ronald Levy et al.	
	FILING DATE	GROUP
March 3, 2004	1642	

U.S. PATENT DOCUMENTS						
Ref. Desig.	Examiner's Initials	Document Number	Date	Name	Class/ Subclass	(If appropriate) Filing Date
22.		6,406,891	6/18/02	Legerski		
23.		6,436,677	8/20/02	Gu et al.		
24.		6,448,089	9/10/02	Vuong		
25.		6,472,218	10/29/02	Stylli et al.		
26.		6,485,917	11/26/02	Yamamoto et al.		
27.		6,586,257	7/1/03	Vuong		
28.		6,638,483	10/28/03	Vuong		
29.		6,730,883	5/4/04	Brown et al.		
30.		6,814,933	11/9/04	Vuong		
31.		6,825,927	11/30/04	Goldman et al.		
32.		6,852,986	2/8/05	Lee et al.		
33.		2001/0049134	12/6/01	Lee et al.		
34.		2002/0090320	7/11/02	Burow et al.		
35.		2002/0098593	7/25/02	Nelson et al.		
36.		2002/0098598	7/25/02	Coffen et al.		
37.		2003/0027179	2/6/03	Heid et al.		
38.		2003/0087446	5/8/03	Eggers		
39.		2003/0108868	6/12/03	Richards		
40.		2003/0109060	6/12/03	Cook et al.		
41.		2003/0118483	6/26/03	Militzer et al.		

Examiner:	Date Considered:
-----------	------------------

EXAMINER: Please initial if citation considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

FORM HDP-1449 (Based on Form PTO-1449) PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE CITATION (Use several sheets if necessary) Sheet 3 of 3	ATTORNEY DOCKET NO.	SERIAL NO.
	9692-000042	10/792,374
	APPLICANT	
	Ronald Levy et al.	
	FILING DATE	GROUP
March 3, 2004	1642	

U.S. PATENT DOCUMENTS						
Ref. Desig.	Examiner's Initials	Document Number	Date	Name	Class/ Subclass	(If appropriate) Filing Date
42.		2003/0124539	7/3/03	Warrington et al.		
43.		2003/0136921	7/24/03	Reel		
44.		2003/0179639	8/7/03	Stolakis et al.		
45.		2003/0190652	10/9/03	De La Vega et al.		
46.		2003/0202637	10/30/03	Yang		
47.		2003/0205681	11/6/03	Modlin		
48.		2003/0207464	11/6/03	Lemmo et al.		
49.		2003/0215957	11/20/03	Lemmo et al.		
50.		2004/0014238	1/22/04	Krug et al.		
51.		2004/0018506	1/29/04	Koehler et al.		
52.		2004/0057870	3/25/04	Isaksson et al.		
53.		2004/0061071	4/1/04	Dorsel		
54.		2004/0131505	7/8/04	Koeda		
55.		2004/0202577	10/14/04	McNeil et al.		
56.		2004/0203047	10/14/04	Caren et al.		
57.		2004/0203164	10/14/04	Cizdziel et al.		

FOREIGN PATENT DOCUMENTS						
Ref. Desig.	Examiner's Initials	Document Number	Date	Country	Class/ Subclass	Translation Yes No
1.		WO 2004/051218	6/17/04	WIPO		X

Examiner:	Date Considered:
-----------	------------------

EXAMINER: Please initial if citation considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.